

Practitioner's Docket No. IB-1402

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

In re application of: Shimon Weiss, A. Paul Alivisatos and Michael Schlamp

MAR 22 2004

Application No.: 09/324,149

Group No.: 2879

Filed: June 2, 1999

Examiner: Quarterman, K. J.

For: Electronic Displays Using Optically Pumped Luminescent Semiconductor Nanocrystals

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

OFFICIAL

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed October 21, 2003, finally rejecting claims 1-23. A response was originally due January 21, 2004. Filed herewith is a request for a two month extension of time, with the appropriate fee. Thus a response is due on March 21, 2004. Because March 21, 2004 is a Sunday, a response is due on March 22, 2004. This response is filed on March 22, 2004; accordingly this response is timely filed.

1. STATUS OF APPLICANT

This application is on behalf of a small entity. A statement was already filed on June 1, 1999.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

G deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

G with sufficient postage as first class mail.

37 C.F.R. § 1.10*

G as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

Facsimile transmitted to the Patent and Trademark Office, (703) 872-9306.

Date: 3/22/2004

Signature

C. R. Nold
(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Notice of Appeal from the Primary Examiner to Board--page 1 of 3

© 2003 Matthew Bender & Company, Inc., a member of the LexisNexis Group.

PAGE 2/4 * RCVD AT 3/22/2004 5:19:32 PM [Eastern Standard Time] * SVR:USPTO-EFXXF-1/5 * DNIS:8729306 * CSID:510 486 7896 * DURATION (mm:ss):01:24

03/26/2004 ABAVID 00000001 120690 09324149

01 FC:2252 210.00 DA
02 FC:2401 165.00 DA

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

| | |
|--------------------------|----------|
| Small entity | \$165.00 |
| Notice of Appeal fee due | \$165.00 |

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for two months:

| | |
|-----|----------|
| Fee | \$210.00 |
|-----|----------|

If an additional extension of time is required, please consider this a petition therefor.

4. TOTAL FEE DUE

The total fee due is:

| | |
|----------------------|-----------------|
| Notice of Appeal fee | \$165.00 |
| Extension fee | \$210.00 |
| TOTAL FEE DUE | \$375.00 |

5. FEE PAYMENT

Authorization is hereby made to charge the amount of \$375.00 to Deposit Account No. 120690.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

If any additional fee for claims is required, charge Deposit Account No. 12-0690.

Notice of Appeal from the Primary Examiner to Board—page 2 of 3

© 2003 Matthew Bender & Company, Inc., a member of the LexisNexis Group.